

DETAILED ACTION

1. This Office Action is the answer to the communication received on 3/19/2008 (the IDS).
2. Claims 1-5, and 11-13 are elected for examination, and claims 6-10 are withdrawn on 7/17/2007.

Response

3. From claimed language, it is clear that "...determining abnormal reception due to faulty equipment ..." (see pending claim 1, lines 9-10) defines where an abnormal situation come from.

The JPO's paper ("NOTICE OF GROUNDS FOR REJECTION" in IDS filed on 3/19/2008) already raised questions about "faulty equipment" and made a proper assumption for JPO's examination – the examiner agrees with this document's opinions.

Claim Objections

4. According to a unique language in the invention, "abnormal reception" means signal(s) coming from failure equipment (see claim 1, line s 9-10). The examiner wonders what does a limitation of "warning means for warning of abnormal reception when said determination means determines abnormal reception" contribute anything to an invention of "A mobile object position detecting apparatus which detects a position of a mobile object according to position information transmitted from an external position information transmission apparatus"; (wherein "detects a position of a mobile object" *is essential* for this invention) because this above limitation is required for an apparatus of claims 1-5, and 11-13. The examiner does not see how this limitation of "warning means for warning of abnormal reception when said determination means determines abnormal reception" contribute anything important to the claimed subject matter (note that this warning issue/signal is already well-known).

5. The examiner notes that all pending claims are directed to apparatus containing physical components; therefore, these physical components/devices/module are limitations of pending claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5, 11-13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Breed (US Pub. 2003/0009270 A1)

Breed discloses about a mobile object position detecting apparatus, comprising:

- a reception status detector detecting position information transmitted from an external position information transmission apparatus; i.e., a detector to receive a GPS data (see Breed, a GPS receiver, Fig.3 ref. 426);
- an odometer obtaining a travel distance of the mobile object receiving no position information (see Breed, a means for determining velocity of occupant, Fig.3 ref. 414);
- a determination device determining abnormal reception due to faulty equipment when said travel distance exceeds a predetermined distance (see Breed, "is component operating abnormally?", Fig.9 ref. 442); and
- a warning device providing a warning when said determination device determines abnormal

reception (see Breed, “generate signal indicating abnormal operation”, Fig.9 ref. 446).

Breed also discloses:

- a reception status detector detecting position information transmitted from an external position information transmission apparatus (see Breed, “SATELLITE-BASED/GROUND-BASED LOCATION DETERMINING SYSTEM”, Fig. 10 ref. 464), and
- a timer obtaining a traveling time of a mobile object receiving no position information – it is inherent that Breed teaches of recording a trip when moving a vehicle from one location to another; therefore, a timer is already used (see Breed, “...include the use of time-based input data...”, see Breed, para. [0313])
- Breed teaches of using a means to determining abnormal reception; and
- Breed teaches a means to providing a warning/alert/alarm.

Conclusion

7. Pending claims are not patentable.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose tel. number is 571-272-6759. The examiner can normally be reached on 9:00 am - 5:30 pm Mon-Tues, and Thurs. - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6759.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.

/CUONG H. NGUYEN/
Primary Examiner
Art Unit 3661